

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Estate of Jeffrey Deane Tubbs,

Plaintiff,

v.

Civil No. 08-4944 (JNE/JSM)
ORDER

Wells Fargo Bank,
National Association,

Defendant.

Jerome S. Rice, Esq., Jerome S. Rice & Associates, A Professional Association, appeared for Plaintiff Estate of Jeffrey Deane Tubbs.

Melissa Raphan, Esq., Dorsey & Whitney, LLP, appeared for Defendant Wells Fargo Bank, National Association.

On November 17, 2009, the Court filed under seal a Memorandum. Unless the Court otherwise orders, it will either unseal or file a redacted version of the Memorandum on December 8, 2009. The parties shall submit proposed redactions, if any, to the Memorandum by December 1, 2009.

Based on the files, records, and proceedings herein, and for the reasons stated in the Memorandum, IT IS ORDERED THAT:

1. Plaintiff's motion for remand [Docket No. 27] is DENIED.
2. Defendant's motion for summary judgment [Docket No. 17] is GRANTED.
3. Plaintiff's Complaint [Docket No. 1] is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 17, 2009

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge